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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/709,575	11/13/2000	Kirk S. Thomas	135.002-01	4531

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Law Office of Jerome D Jackson  
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EXAMINER

PHAM, TOAN NGOC

ART UNIT PAPER NUMBER

2632

DATE MAILED: 03/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/709,575

Applicant(s)

THOMAS, KIRK S.

Examiner

Toan N Pham

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,2 and 7-11 is/are allowed.
- 6) ☒ Claim(s) 3,4,6 and 12-19 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____.  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____. | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Specification***

The disclosure is objected to because of the following informalities:

- On page 5, reference character "12" has been used to designate both a transmission station and an insulating member.
- On page 5, line 20, "connector" should be changed to --connector--.
- On page 7, line 15, "reads" should be changed to --reads--.
- On page 11, line 18, "reads" should be changed to --reads--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Charles et al. (US 5,302,857).

Regarding claim 12: Charles et al. discloses a portable housing (10); an indicator circuit (Fig. 2) in the housing; a member (30) in the housing; the member being configured to securely connect to the terminal; and a line (11) between the member and the housing (Figs. 1, 2).

Regarding claim 13: Charles et al. discloses the member defines a ring and the line passes through the ring (Figs. 1, 2).

Regarding claim 14: Charles et al. discloses the visual indicator (42, 43) is responsive to the detected voltage (col. 5, lines 1-32).

Regarding claim 15: Charles et al. discloses the indicator is a light source (col. 5, lines 1-32).

Regarding claim 16: Charles et al. discloses the visual indicator (42, 43) is responsive to the detected voltage (col. 5, lines 1-23); thus, an indicator that is responsive to a voltage is obviously responsive to a current as well.

Regarding claim 17: Charles et al. discloses the indicator is a light source (col. 5, lines 1-32).

Regarding claim 18: Charles et al. discloses a system having a first terminal (30) with a first diameter and a second diameter with a second diameter (Fig. 1); and a portable housing (10); an indicator circuit (Fig. 2) in the housing; a member (30) in the housing; the member being configured to securely connect to the first terminal; removing the member; and connecting the housing to the second terminal (Figs. 1, 2).

Regarding claim 19: Charles et al. discloses removing the member by unscrewing the terminal (30) and pulling lines (11, 12, 15) (fig. 1).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groce et al. (US 3,777,217).

Regarding claim 3: Groce et al. discloses a power distribution system includes the step of detecting a current in the adjacent conduction path; activating an indicator (40-43) in response to the detecting step; and deactivating the indicator after a period of time (col. 7, lines 29-35). Groce et al. discloses the control is automatically and not manually; however, whether the detecting step is carried out manually or automatically is merely a matter of design choice to carry out the detecting step.

Regarding claim 4: Groce et al. discloses the deactivating step includes the charging capacitor (C1) (col. 7, lines 48-56).

Regarding claim 6: Groce et al. discloses the initializing capacitors as seen in Fig. 2.

### ***Allowable Subject Matter***

Claims 1, 2 and 7-11 are allowed.

Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art of Banting et al. (US 5,959,537) and Gerlach (US 6,122,157) are cited to show a variety of power distribution systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan N Pham whose telephone number is (703)306-3038. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, Daniel J. Wu can be reached on (703) 308-6730. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9314 for regular communications and (703)872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.

Toan Pham  
Primary Examiner  
AU 2632



March 20, 2003